

**REMARKS**

**Information Disclosure Statement**

Applicants note that the Examiner's comments regarding the November 16, 2001 Information Disclosure Statement. Applicants will attempt to obtain copies of EP 1067730 and DE 19842039, as requested by the Examiner.

**The Section 102 Rejections**

Claims 1-10 and 12-14 were rejected under 35 U.S.C. §102(e) as being anticipated by Kim et al., U.S. Patent No. 6,438,119 ("Kim"). Applicants respectfully disagree and traverse this rejection for at least the following reasons.

Each of the claims is directed at a method which uses a shared control channel to either transmit or receive encoded signaling information. Kim does not disclose the use of a shared control channel to transmit or receive encoded signaling information, as in the claims of the present invention.

Instead, Kim explicitly and repeatedly discloses the use of a dedicated control channel (DCCH) to communicate a control signal from a single mobile station to a base station.

Accordingly, because Kim does not disclose each feature of the present invention, Kim cannot anticipate the claims of the present invention.

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-10 and 12-14.

**The Section 103 Rejection of Claim 11**

Claim 11 was rejected under 35 U.S.C. §103(a) as being obvious over Kim in further view of the publication entitled "TSG/RAN Working Group 1," dated May 31, 1999, authored by Siemens ("Siemens Publication").

Applicants respectfully disagree and traverse this rejection for at least the following reasons.

As the Examiner admits, Kim does not teach or suggest puncturing of bits from a portion of encoded signaling information that is separately decoded such that the puncturing is less than the puncturing of bits from remaining encoded signaling information, as in claim 11. To overcome this deficiency, the Examiner relies on the Siemens Publication.

Initially, Applicants note that the Siemens Publication does not overcome the deficiencies of Kim pointed out above with respect to claims 1-10 and 12-14. Therefore, for at least the reasons stated beforehand, claim 11 is not rendered obvious by the combination of Kim and the Siemens Publication.

In addition, Applicants respectfully submit that as far as Applicants can tell, the combination of Kim with the Siemens Publication does not suggest the puncturing of a portion of an encoded signaling information such that such puncturing is less than puncturing which is carried out on remaining, encoded signaling information. It appears that the Siemens Publication is directed at puncturing in general without regard to whether or not such puncturing may be carried out on a portion of signaling information. In addition, Kim itself

does not disclose that puncturing is carried out on a portion of signaling information. Instead, Kim discloses the puncturing of a power control bit. In sum, neither Kim nor the Siemens Publication discloses or suggests the puncturing of a portion of signaling information as is required by claim 11 of the present invention.

It is respectfully submitted that the subject matter of claim 11 would not have been obvious to one of ordinary skill in the art at the time the present application was filed upon reading the disclosures of Kim and the Siemens publication because neither of these references discloses or suggests puncturing that is carried out on only a portion of signaling information.

Accordingly, Applicants respectfully request withdrawal of the pending rejection and allowance of claim 11.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

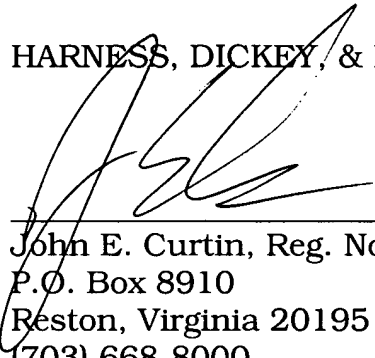
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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